

Case No. 4380US

08/968,208

#51

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Russell G. Higuchi** ) Group Art Unit: 1743  
Serial No.: 08/968,208 ) Examiner: J. Snay  
Filed: November 11, 1997 ) Confirmation Number: unknown  
For: INSTRUMENT FOR )  
MONITORING NUCLEIC ACID )  
AMPLIFICATION )

## CERTIFICATE FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the U.S. Patent and Trademark Office at fax no. (703) 308-6916 on the date indicated below

Date of Transmission: July 15, 2003Signature: Desi IncencioPrint Name: Desi IncencioPetition Under 37 CFR §1.313(c)(2)

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PETITIONS OFFICE

Box DAC

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Pursuant to 37 CFR §1.313(c)(2), Applicant petitions to withdraw the above-captioned application from issuance. A Request for Continued Examination in compliance with 37 CFR § 1.114 is enclosed with this Petition. Since this application was filed after June 8, 1995, this Petition is properly submitted under 37 CFR §1.313(c)(2).

The Patent Office is authorized to take the fee under 37 CFR §1.17(h) required in connection with this Petition, and any additional required fees, from Applied Biosystems Deposit Account No. 01-2213 (Order No. 4380US).

Respectfully submitted,

Date: July 15, 2003  
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